

REMARKS

Claims 1-4 are pending. By this amendment, Claims 1 and 2 are amended and claim 5 is canceled..

The Office Action rejects claims 1-5 under the judicially created doctrine of obviousness type double patenting. Attached hereto is a terminal disclaimer. Withdrawal of the rejection is requested.

The Office Action rejects claims 1-5 under 35 USC 102 over Fatehi (USP 5,229,876) Applicants respectfully traverse this rejection.

Fatehi describes that supervisory information is installed in the pumping light by modulating the pumping light output from the pumping light source 74. Fatehi does not disclose a coupler that multiplexes a pumping light and a supervisory signal light as required by the present claims.

In contrast, an optical coupler of claim 1 recites "an optical coupler multiplexing said amplified data optical signal, and said supervisory optical signal and said second pumping light." This feature is not disclosed in Fatehi.

As explained in the specification at pages 32 and 33, because a wavelength of the supervisory optical signal is substantially equal to a wavelength of the pumping light, the optical coupler may be used for both the pumping light and the supervisory optical signal to multiplex with the optical signal. This allows a decrease in the number of couplers and to decrease a loss of the optical signal.


Because Fatehi is missing this feature, Fatehi does not anticipate any of the claims. Withdrawal of the rejection is requested.

For the above reasons, it is submitted that the application is in condition for allowance. Prompt consideration and allowance are solicited.

The Examiner is invited to contact the undersigned at (202) 220-4232 to discuss any matter concerning this application.

Applicants do not believe that any additional fees are required in connection with this submission. Nonetheless, Applicants authorize payment of any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit of any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,



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